



## Development Services Committee Minutes

November 7, 2016, 9:00 AM to 3:00 PM

Council Chamber

Meeting No. 18

---

### All Members of Council

#### Development Services Issues

Chair: Regional Councillor Jim Jones  
Vice-Chair: Councillor Don Hamilton

#### Culture and Economic Development Issues

Chair: Councillor Alex Chiu  
Vice-Chair: Councillor Alan Ho

#### Transportation and Engineering Capital Projects Issues

Chair: Regional Councillor Joe Li  
Vice-Chair: Regional Councillor Nirmala Armstrong

### Attendance

Deputy Mayor Jack Heath  
Regional Councillor Jim Jones (left 11:45)  
Regional Councillor Joe Li  
Regional Councillor Nirmala Armstrong  
Councillor Alan Ho (left 12:40)  
Councillor Don Hamilton  
Councillor Karen Rea  
Councillor Colin Campbell  
Councillor Amanda Collucci (9:25)  
Councillor Logan Kanapathi (left 11:45)  
Councillor Alex Chiu (left, 10:00)

Jim Baird, Commissioner of Development Services  
Alain Cachola, Senior Manager, Capital Works  
Sally Campbell, Manager, East District  
Catherine Conrad, City Solicitor and Acting Director of  
Human Resources  
Biju Karumanchery, Director of Planning and  
Urban Design  
Brian Lee, Director of Engineering  
Peter Wokral, Heritage Planner  
Kitty Bavington, Council/Committee Coordinator

### Regrets

Mayor Frank Scarpitti  
Councillor Valerie Burke

The Development Services Committee convened at the hour of 9:00 a.m. in the Council Chamber with Regional Councillor Jim Jones in the Chair. Regional Councillor Joe Li assumed the Chair for Transportation and Engineering Capital Projects items, Nos. 11, 12. Councillor Don Hamilton assumed the Chair for items 13, 14, 15.

### DISCLOSURE OF PECUNIARY INTEREST

- None Declared

**1. DEVELOPMENT SERVICES COMMITTEE MINUTES**

**- October 24, 2016 (10.0)**

[Minutes](#)

Moved by: Councillor Alex Chiu

Seconded by: Councillor Logan Kanapathi

That the minutes of the Development Services Committee meeting held October 24, 2016, be confirmed.

CARRIED

**2. DEVELOPMENT SERVICES PUBLIC MEETING MINUTES**

**- October 25, 2016 (10.0)**

[Minutes](#)

Moved by: Councillor Alex Chiu

Seconded by: Councillor Logan Kanapathi

That the minutes of the Development Services Public Meeting held October 25, 2016, be confirmed.

CARRIED

**3. HERITAGE MARKHAM COMMITTEE MINUTES**

**- October 12, 2016 (16.11)**

[Minutes](#)

Moved by: Councillor Alex Chiu

Seconded by: Councillor Logan Kanapathi

That the minutes of the Heritage Markham Committee meeting held October 12, 2016, be received for information purposes.

CARRIED

**4. HISTORIC UNIONVILLE COMMUNITY  
VISION COMMITTEE MINUTES  
- September 21, 2016 (10.0)**  
[Minutes](#)

The Committee noted a reference to the need for additional by-law Enforcement staff. This will be discussed at the budget meeting.

Moved by: Councillor Karen Rea  
Seconded by: Deputy Mayor Jack Heath

That the minutes of the Historic Unionville Community Vision Committee meeting held September 21, 2016, be received for information purposes.

CARRIED

**5. CYCLING AND PEDESTRIAN ADVISORY  
COMMITTEE (CPAC) MINUTES  
- September 15, 2016 (16.34)**  
[Minutes](#)

A typo was noted on Page 62, which should indicate an increase to \$120,000, not a decrease.

Moved by: Councillor Karen Rea  
Seconded by: Deputy Mayor Jack Heath

That the minutes of the Cycling and Pedestrian Advisory Committee (CPAC) meeting held September 15, 2016, be received for information purposes.

CARRIED

**6. PRELIMINARY REPORT  
WEMAT ONE LTD.  
BLOCK 1, PLAN 65M-2665, SOUTH SIDE OF HIGHWAY 7  
BETWEEN HIGHWAY 404 AND COMMERCE VALLEY DRIVE EAST  
APPLICATION FOR OFFICIAL PLAN AMENDMENT TO EXPAND  
THE RANGE OF EMPLOYMENT USES PERMITTED  
FILE NO.: OP 13 113480 (10.3)**  
[Report](#)

Moved by: Councillor Alex Chiu

Seconded by: Councillor Logan Kanapathi

That the report dated November 7, 2016 entitled “PRELIMINARY REPORT, Wemat One Ltd., Block 1, Plan 65M-2665, south side of Highway 7, between Highway 404 and Commerce Valley Drive East, Application for Official Plan Amendment to expand the range of employment uses permitted”, be received.

CARRIED

**7. DEVELOPMENT FEE AND  
BUILDING FEE BY-LAWS UPDATE (2017) (10.0)**  
[Report](#) [Attachment A](#) [Attachment B](#)

A Committee member suggested that the fee for a Minor Variance application should be increased. This comment will be passed along to appropriate staff.

Moved by: Councillor Karen Rea

Seconded by: Deputy Mayor Jack Heath

- 1) That the Report titled “Development Fee and Building Fee By-laws Update (2017)”, dated November 7, 2015 be received; and,
- 2) That the proposed amendments be referred to the Development Services Committee Public Meeting to be held on December 6, 2016; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution

CARRIED

**8. PRELIMINARY REPORT  
CITY PARK (TOWN CRIER) HOMES INC.  
PROPOSED DRAFT PLAN OF SUBDIVISION,  
OFFICIAL PLAN AMENDMENT AND  
ZONING BY-LAW AMENDMENT APPLICATIONS  
FOR 12 LOTS FOR SINGLE DETACHED DWELLINGS  
AT 7 TOWN CRIER LANE  
FILES: SU 16 175583, OP 16 175583 AND ZA 16 175583 (10.7, 10.3 & 10.5)**  
[Report](#)

The Ward Councillor suggested that staff work with the applicant prior to the Public Meeting, to produce a proposal more in keeping with comments received at a recent community meeting. The Committee requested that staff work with the applicant and the adjacent church representatives to ensure the manse on the church property is properly serviced and is not negatively impacted by the development. Discussions included the potential to extend the cul-de-sac to a through street.

Moved by: Councillor Karen Rea

Seconded by: Deputy Mayor Jack Heath

- 1) That the report entitled “PRELIMINARY REPORT, City Park (Town Crier) Homes Inc., Proposed Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment applications for 12 lots for single detached dwellings at 7 Town Crier Lane, Files SU 16 175583, OP 16 175583 and ZA 16 175583”, be received.

CARRIED

**9. RECOMMENDATION REPORT  
APPLICATION FOR SITE PLAN APPROVAL  
BY FONTUR INTERNATIONAL INC. FOR A  
BELL MOBILITY MONOPOLE TELECOMMUNICATION TOWER  
AND ASSOCIATED EQUIPMENT COMPOUND  
AT 80 LANGSTAFF ROAD EAST  
FILE NO. SC 15 153044 (10.6)**  
[Report](#)  
R. Cefaratti, ext. 3675

Jim Baird, Commissioner of Development Services, provided an update on the proposal for a monopole telecommunications tower at 80 Langstaff Road East.

The applicant’s agent was in attendance to provide a brief presentation. The tower is being temporarily relocated from its current location at 5 Cedar Avenue, further away from residences. It will be relocated again to a rooftop location once area development occurs.

The endorsement includes a condition that the tower be removed in the event the City determines that its location is in conflict with future development. Staff will add a notation regarding consultation with area land owners in making this determination.

The location of the site was questioned as to whether it is on Markham or Richmond Hill lands. The Committee added requirements that the Town of Richmond Hill being advised of the proposal, as well as any additional requirements determined by the Legal Department regarding jurisdiction.

Moved by: Councillor Logan Kanapathi

Seconded by: Councillor Colin Campbell

- 1) That the report dated November 7, 2016, entitled “Application for Site Plan Approval by Fontur International Inc. for a Bell Mobility Monopole Telecommunication Tower and associated equipment compound at 80 Langstaff Road East, File SC 15 153044”, be received; and,
- 2) That the presentation by Fontur International Inc., on behalf of Bell Mobility, regarding the proposed telecommunications tower, be received; and,
- 3) That the Site Plan application be endorsed, subject to the conditions of Site Plan Approval as identified in Appendix ‘A’ to this report; and,
- 4) That Industry Canada be advised in writing of this conditional endorsement (concurrence) following the City of Markham’s acceptance of a signed Letter of Undertaking on behalf of Bell Mobility and CN Rail to ensure that the proposed tower is removed in the event the City of Markham **in consultation with area landowners** determines that its location is in conflict with future development within the Langstaff Gateway Area, and that this conditional endorsement is with respect to this location only; and,
- 5) **That concurrence be subject to the Town of Richmond Hill being advised of the proposal, and subject to any additional requirements determined by the Legal Department regarding municipal jurisdiction; and further,**
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**10. RECOMMENDATION REPORT  
1659139 ONTARIO INC. (HBNG HOLBORN GROUP)  
BLOCKS 299, 300 AND 301, PLAN 65M-4026  
NORTH OF ELGIN MILLS ROAD  
WEST OF WOODBINE AVENUE  
APPLICATIONS FOR OFFICIAL PLAN AND  
ZONING BY-LAW AMENDMENTS, AND  
DRAFT PLAN OF SUBDIVISION APPROVAL  
FILE NO.'S: OP 13 116651 AND ZA/SU 15 116651 (10.3, 10.5 & 10.7)  
[Report](#)**

Jim Baird, Commissioner of Development Services introduced this application, which relates to an earlier Official Plan employment conversion proposal, previously endorsed by Council, and the current application for Zoning and Plan of Subdivision.

A representative of the applicant was in attendance to display concept plans and respond to questions regarding the road and walkway network, unit orientation, parking, and snowplowing. It was confirmed that:

- the various woodlot buffer parcels will be conveyed to the City;
- the temporary turning bulb on Lord Melbourne Street will be eliminated once the road network is built;
- the applicant will be responsible for the cost of the sanitary sewer upgrades;
- issues identified at the Public Meeting have been addressed and the plan has been revised accordingly;
- renderings of the unit styles would normally be presented at the site plan stage.

The applicant advised that the community design plan has been approved by staff and can be reviewed with the Ward Councillor prior to these applications being adopted at Council. The Committee agreed to bring this forward to the next Council meeting on November 15, with the understanding that it can be deferred to a later meeting if the Ward Councillor is not satisfied. The applicant agreed to provide conceptual elevations at Council.

The Committee directed that the Site Plan Approval be brought to Development Services Committee instead of being delegated to staff.

It was suggested that the progressive stages in the various application processes be outlined, and that the status of each application be indicated each time it comes forward for consideration - perhaps in the background section of a report.

Moved by: Regional Councillor Nirmala Armstrong

Seconded by: Deputy Mayor Jack Heath

- 1) That the report dated November 7, 2016 titled, “RECOMMENDATION REPORT, 1659139 Ontario Inc. (HBNG Holborn Group), Blocks 299, 300 and 301, Plan 65M-4026, North of Elgin Mills Road, west of Woodbine Avenue, Applications for Official Plan and Zoning By-law amendments, and Draft Plan of Subdivision Approval”, be received; and,
- 2) That Draft Plan of Subdivision 19TM-15003, prepared by Gagnon and Law, Urban Planners Ltd., revision dated October 13, 2016, be approved subject to conditions of draft plan approval set out in Appendix ‘A’ to this report; and,
- 3) That servicing allocation for 178 townhouse units be assigned to Draft Plan of Subdivision 19TM-15003; and,
- 4) That the draft plan approval for plan of subdivision 19TM-15003 will lapse after a period of three years commencing on the date of issuance of draft plan approval, in the event that a subdivision agreement is not executed within that period; and,
- 5) That the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner; and,
- 6) That the Region of York be advised that servicing allocation for 178 units has been confirmed; and,
- 7) That the draft amendments to the 1987 Official Plan and the Cathedral Community Secondary Plan, and the 2014 Official Plan be finalized prior to being enacted by Council; and,
- 8) That the draft amendment to Zoning By-law 177-96, as amended, attached to this report as Appendix ‘C’, be finalized prior to being enacted by Council; and,
- 9) **That the applicant and staff review the applications with the Ward Councillor, and provide an update at Council on November 15, 2016, as to whether the applications are ready to proceed or a deferral is required; and,**
- 10) **That the applicant provide conceptual elevations at the Council meeting on November 15, 2016; and,**
- 11) **That Site Plan Approval be brought forward to Development Services Committee; and further,**
- 12) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED



**11. HIGHWAY 404 RAMP EXTENSION  
(ARISTOTLE AVENUE) AT HIGHWAY 7, AND  
HIGHWAY 404 MID-BLOCK CROSSING  
(NORMAN BETHUNE AVENUE) BETWEEN  
ALLSTATE PARKWAY AND EAST BEAVER CREEK ROAD (5.10)**  
[Report](#)

Brian Lee, Director of Engineering, introduced this matter. The Committee briefly discussed the funding formula.

Moved by: Councillor Colin Campbell  
Seconded by: Deputy Mayor Jack Heath

- 1) That the report entitled “Highway 404 Ramp Extension (Aristotle Avenue) at Highway 7, and Highway 404 Mid-Block Crossing (Norman Bethune Avenue) between Allstate Parkway and East Beaver Creek Road” be received; and,

**HIGHWAY 404 MID-BLOCK CROSSING (NORMAN BETHUNE AVENUE)  
BETWEEN HIGHWAY 7 AND 16TH AVENUE - (the “Highway 404 Mid-Block  
Crossing”)**

- 2) That the Engineering Department Capital Administration Fee in the amount of \$156,640.58, be charged to revenue account 640-998-8871 (Capital Admin Fees); and,
- 3) That the 2018 operating budget for the Asset Management Department (\$3,388.00) and Operations Department (\$21,642.37) be increased to fund annual operations and maintenance requirements for Highway 404 Mid-Block Crossing as set out in this report; and,
- 4) That the 2018 Lifecycle Replacement and Capital Reserve study be updated to include an additional \$533,731.00 (Streetlights: \$324,965.00 + Roads and Sidewalk: \$69,266.00 + Traffic Signals: \$139,500.00) for the future replacement of streetlighting, road, sidewalk, and traffic signals for the Highway 404 Mid-Block Crossing; and,
- 5) That the 2018 Lifecycle Replacement and Capital Reserve study be updated to include a one-time payment for Markham’s share of the Ministry of Transportation’s (“MTO”) long-term maintenance and replacement cost for the Highway 404 Mid-Block Crossing structure to a maximum amount of \$1,731,333.33, being 33% of the total cost of \$5,194,000; and,
- 6) That the Mayor and Clerk be authorized to execute an agreement with the Town of Richmond Hill (“**Richmond Hill**”) for road surface maintenance of the Highway 404 Mid-Block Crossing structure, provided that the form and content of such agreement are satisfactory to the Chief Administrative Officer and the City Solicitor; and,

**HIGHWAY 404 RAMP EXTENSION AT HIGHWAY 7 (ARISTOTLE AVENUE) - (the “Highway 404 Ramp Extension”)**

- 7) That the Mayor and Clerk be authorized to execute an agreement with the Region of York (“**Region**”) to govern the design, property acquisition, project management, construction, operation, long-term maintenance and replacement of the Highway 404 Ramp Extension and cost sharing with respect to same, provided that the form and content of such agreement are satisfactory to the Chief Administrative Officer and the City Solicitor; and,
- 8) That staff be authorized to issue a Purchase Order to the Region, for 50% of the project costs for the Highway 404 Ramp Extension, to a maximum amount of \$12,900,012.58; and,
- 9) That the Engineering Department Capital Administration Fee in the amount of \$291,964.12, be charged and transferred to revenue account 640-998-8871 (Capital Admin Fees); and,
- 10) That the amount of \$1,698,193.64 (comprising a 20% contingency for project costs and the Region’s administration fees) be added to the budget for capital project #16041 ‘Highway 404 Ramp Extension, North of Hwy 7’; and,
- 11) That Markham’s portion of the project cost in the amount of \$14,890,170.34 (inclusive of the City’s Capital Administration Fee of \$291,964.12), be funded from the capital project #16041 ‘Highway 404 Ramp Extension, North of Hwy 7’ with an available budget of \$12,346,400 as outlined in this report; and,
- 12) That the additional financial requirement of \$2,543,770.34 (\$12,346,400.00 - \$14,890,170.34) be funded from the Development Charges Reserve; and,
- 13) That the 2018 operating budgets for the Asset Management Department (\$1,716.00) and Operations Department (\$25,396.04) be increased to cover annual operations and maintenance requirements for the Highway 404 Ramp Extension as set out in this report; and,
- 14) That the 2018 Lifecycle Replacement and Capital Reserve study be updated to include an additional \$192,890.00 (Streetlights: \$136,828.00 + Roads & Multi-Use Pathway: \$56,062.00) and financial program for the future replacement of streetlighting, underground stormwater facility, road and multi-use pathway for the Highway 404 Ramp Extension; and,
- 15) That the 2018 Lifecycle Replacement and Capital Reserve study be updated to include a one-time payment to the Region to a maximum amount of \$378,000, being 50% of MTO’s long-term maintenance and replacement cost for the Highway 404 Ramp Extension structure; and,

- 16) That in accordance with By-law 178-96, the lands legally described as Part of Block 9, Plan M-2029 designated as the Parts 6, 8, 11, 12 and 13 on Reference Plan 65R-36152 (the “**MTO Ramp Lands**”) be declared surplus to municipal purposes; and,
- 17) That subject to recommendation #16 and after the Highway 404 Ramp Extension is complete, the Mayor and Clerk be authorized to execute any documents and/or agreements required to transfer the MTO Ramp Lands to MTO for nominal consideration, provided that the form and content of such documents and agreements are satisfactory to the Chief Administrative Officer and the City Solicitor; and,
- 18) That after the Highway 404 Ramp Extension at Highway 7 is complete, the Mayor and Clerk be authorized to execute any documents and agreements required to acquire the lands legally described as Part of Block 9, Plan M-2029 designated as the Parts 1 and 3 on Reference Plan 65R-36152 (the “**City Ramp Lands**”) from the Region for nominal consideration, provided that the form and content of such documents and agreements are satisfactory to the Chief Administrative Officer and the City Solicitor; and,
- 19) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**12. 2017 ANNUAL SERVICE PLAN  
(YRT/VIVA) (5.14)**  
[Presentation](#)

Adrian Kawun, Manager of Service Planning, York Region Transit (YRT/Viva), gave a presentation entitled "2017 Annual Service Plan" regarding the System Overview, YRT/VIVA Strategic Direction, Transit Planning, and Next Steps. A short video was presented.

There were lengthy discussions regarding fare zone integration, reduced ticket prices for seniors and low-income earners, and transfer times. Mr. Kawun noted the accomplishments of the Working Group and advised that: fare integration strategies are being reviewed; significant subsidies are already provided for seniors, and similar fares for low-income riders are being considered; transfer times have been increased to two hours and include travel in both directions. It was suggested that certain fare-free times be considered for seniors. York Region will be making a decision on fares for seniors on November 17, and anyone championing this cause was encouraged to attend.

With the opening of the new Spadina Station in December, 2017, the Committee expressed an interest in participating in the service planning for the station at the early stages, and suggested another presentation by the Region in the spring of 2017, in this regard.

The Viva line along Highway 7 from Town Centre Boulevard to Kennedy Road is scheduled to open in 2018; however the Committee requested that the line be opened sooner, if possible. Discussions also included the projected date of 2051 for greenhouse gas-free operations. The Committee thanked Adrian Kawun for the informative presentation.

A motion to Call the Question was moved by Councillor Colin Campbell and seconded by Councillor Karen Rea, and was supported by the Committee. The speakers list was exhausted.

Moved by: Deputy Mayor Jack Heath  
Seconded by: Councillor Don Hamilton

That the presentation provided by Adrian Kawun, Manager of Service Planning, York Region Transit (YRT/Viva) entitled "2017 Annual Service Plan" be received.

CARRIED

**13. NEW BUSINESS  
YORK REGION DEVELOPMENT CHARGES (13.4)**

Councillor Don Hamilton referred to a newspaper article circulated to staff regarding York Region's Development Charges. Staff advised of the City's role in collecting Development Charges, and advised that any concern about the amount being collected should be addressed with the School Boards.

**14. NEW BUSINESS  
DEPUTATION – 23 CHURCH STREET (8.0)**

Brendan Ruddick of Loopstra Nixon LLP, representing the owners of 3 Franklin Street, appellants for a Minor Variance application for 23 Church Street, spoke to the Committee regarding the appeal to the OMB. Mr. Ruddick discussed the construction of a gazebo at 23 Church Street, adjacent to 3 Franklin Street, and the justification for the approved variance based on the front yard being treated as a rear yard. He also noted that the property is in the Heritage District and suggested that the structure contributes to the obstruction of the sight line, in addition to the existing fence. Mr. Ruddick did not support the potential participation of the City at the OMB in support of the owners of 23 Church Street. He responded to several questions from the Committee.

On the advice of the City Solicitor, the Committee declined to hear an additional deputation in support of the owners of 23 Church Street, as the owners had previously addressed the Committee on October 24.

Moved by: Councillor Karen Rea  
Seconded by Regional Councillor Nirmala Armstrong

That the deputation by Brendan Ruddick, of Loopstra Nixon LLP, representing the owners of 3 Franklin Street, with respect to the appeal of a Minor Variance at 23 Church Street, be received.

CARRIED

**15. IN-CAMERA MATTER**

Moved by: Councillor Karen Rea

Seconded by: Councillor Colin Campbell

That, in accordance with Section 239 (2) of the Municipal Act, Development Services Committee resolve into an in-camera session to discuss the following confidential matters:

- (1) DEVELOPMENT SERVICES COMMITTEE IN-CAMERA MINUTES  
- October 24, 2016 (10.0)  
[Section 239 (2) (e) (c)]
- (2) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD - ONTARIO MUNICIPAL BOARD - 23 CHURCH STREET (WARD 4) (8.0)  
[Section 239 (2) (e)]

CARRIED

Moved by: Councillor Amanda Collucci

Seconded by: Councillor Colin Campbell

That the Development Services Committee rise and report from the in-camera session at 12:55 PM.

CARRIED

The following in-camera items were approved by Development Services Committee as follows:

- (1) DEVELOPMENT SERVICES COMMITTEE IN-CAMERA MINUTES  
- October 24, 2016 (10.0)  
[Section 239 (2) (e) (c)]

Development Services Committee confirmed the in-camera minutes of October 24, 2016.

- (2) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD - ONTARIO MUNICIPAL BOARD - 23 CHURCH STREET (WARD 4) (8.0)  
[Section 239 (2) (e)]

This item was forwarded to Council on November 15, 2016.

**ADJOURNMENT**

The Development Services Committee meeting adjourned at 12:55 PM.

**Alternate formats for this document are available upon request.**